

The Mysore Gazette

PUBLISHED BY



AUTHORITY

Vol. 84]

BANGALORE, THURSDAY, NOVEMBER 24, 1949

[No. 46]

CONTENTS

PART I.	PAGES	PART IV—SECTION 1-A.	PAGES
IMPORTANT GOVERNMENT ORDERS.—		BILLS INTRODUCED IN THE CENTRAL LEGISLATURE WHICH IF ENACTED WILL APPLY TO MYSORE AND THE REPORTS OF SELECT COMMITTEES, IF ANY, THEREON	...
Instrument of Accession of the Maharaja of Mysore	201—208	PART IV—SECTION 1-B.	
Supplementary Instrument of Accession of His Highness the Maharaja of Mysore	208—204	ACTS OF THE CENTRAL LEGISLATURE AND ORDINANCES OF THE GOVERNOR-GENERAL, WHICH APPLY TO MYSORE	7—9
Payment of Food Potgi and Commission to the Village Officers for the year 1948-49	205	PART IV—SECTION 1-C.	
Reconstitutes the Food Council for Kolar Gold Fields	205	NOTIFICATIONS, RULES, ORDERS, ETC., ISSUED UNDER CENTRAL ACTS AND ORDINANCES WHICH APPLY TO MYSORE	112—114
PART II.		PART IV—SECTION 2-A.	
APPOINTMENTS, POSTINGS, TRANSFERS, POWERS, LEAVE, ETC. ...	108	BILLS, SELECT COMMITTEE REPORTS, IF ANY, THEREON AND ACTS OF MYSORE	...
PART III—SECTION 1.		PART IV—SECTION 2-B.	
NOTIFICATIONS BY GOVERNMENT	757—767	NOTIFICATIONS, RULES AND ORDERS ISSUED UNDER MYSORE ACTS	189—195 [1-69]
PART III—SECTION 2.		PART V.	
NOTIFICATIONS BY HEADS OF DEPARTMENTS	851—873	SEASON REPORT, STATEMENT OF PRICES CURRENT, ETC.	219—222
PART III—SECTION 3.		PART VI.	
NOTIFICATIONS RELATING TO LOCAL SELF-GOVERNMENT	133—186	PUBLIC AND PRIVATE ADVERTISEMENTS	1215—1238

PART I

IMPORTANT GOVERNMENT ORDERS

CHIEF SECRETARIAT

INSTRUMENT OF ACCESSION OF THE MAHARAJA OF MYSORE.

WHEREAS the Indian Independence Act, 1947, provides that as from the fifteenth day of August, 1947, there shall be set up an independent Dominion known as INDIA, and that the Government of India Act, 1935, shall, with such omissions, additions, adaptations and modification as the Governor-General may by order specify be applicable to the Dominion of India;

AND WHEREAS the Government of India Act, 1935, as so adapted by the Governor-General provides that an Indian State may accede to the Dominion of India by an Instrument of Accession executed by the Ruler thereof;

NOW THEREFORE I, Jaya Chamaraja Wadiyar, Ruler of the State of Mysore, in the exercise of my sovereignty in and over my said State, Do hereby execute this my Instrument of Accession and

1. I hereby declare that I accede to the Dominion of India with the intent that the Governor-General of India, the Dominion Legislature, the Federal Court and any other Dominion authority established for the purposes of the Dominion shall, by virtue of this my Instrument of Accession, but subject always to the terms thereof, and for the purposes only of the Dominion, exercise in relation to the State of Mysore (hereinafter referred to as "this State") such functions as may be vested in them by or under the Government of India Act, 1935, as in force in the Dominion of India on the 15th day of August 1947 (which Act as so in force is hereinafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to the provisions of the Act within this State so far as they are applicable therein by virtue of this my Instrument of Accession.

3. I accept the matters specified in the Schedule hereto as the matters with respect to which the Dominion Legislature may make laws for this State.

4. I hereby declare that I accede to the Dominion of India on the assurance that if an agreement is made between the Governor-General and the Ruler of this State whereby any functions in relation to the administration in this State of any law of the Dominion Legislature shall be exercised by the Ruler of this State, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effect accordingly.

5. The terms of this my Instrument of Accession shall not be varied by any amendment of the Act or of the Indian Independence Act, 1947, unless such amendment is accepted by me by an Instrument supplementary to this Instrument.

6. Nothing in this Instrument shall empower the Dominion Legislature to make any law for this State authorising the compulsory acquisition of land for any purpose, but I hereby undertake that should the Dominion for the purposes of a Dominion law which applies in this State deem it necessary to acquire any land, I will at their request acquire the land at their expense or if the land belongs to me transfer it to them on such terms as may be agreed, or, in default of agreement, determined by an arbitrator to be appointed by the Chief Justice of India.

7. Nothing in this Instrument shall be deemed to commit me in any way to acceptance of any future constitution of India or to fetter my discretion to enter into arrangements with the Government of India under any such future constitution.

8. Nothing in this Instrument affects the continuance of my sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers, authority and rights now enjoyed by me as Ruler of this State or the validity of any law at present in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of the State is to be construed as including a reference to my heirs and successors.

Given under my hand this Ninth day of August, Nineteen hundred and forty-seven.

JAYA CHAMARAJA WADIYAR.

I do hereby accept this Instrument of Accession.

Dated this Sixteenth day of August, Nineteen hundred and forty-seven.

MOUNTBATTEN OF BURMA
(Governor-General of India).



Seal of the Government of
India,
Ministry of States.

SCHEDULE

The matters with respect to which the Dominion Legislature may make laws for this State.

A. Defence.

1. The naval, military and air forces of the Dominion and any other armed force raised or maintained by the Dominion; any armed forces, including forces raised or maintained by an Acceding State, which are attached to, or operating with, any of the armed forces of the Dominion.
2. Naval, military and air force works, administration of cantonment areas.
3. Arms; fire-arms; ammunition.
4. Explosives.

B. External Affairs.

1. External affairs; the implementing of treaties and agreements with other countries; extradition, including the surrender of criminals and accused persons to parts of His Majesty's dominions outside India.
2. Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India or subjects of any acceding State; pilgrimages to places beyond India.
3. Naturalisation.

C. Communications.

1. Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.
2. Federal railways; the regulation of all railways other than minor railways in respect of safety, maximum and minimum rates and fares, station and service terminal charges, interchange of traffic and the responsibility of railway administrations as carriers of goods and passengers; the regulation of minor railways in respect of safety and the responsibility of the administrations of such railways as carriers of goods and passengers.
3. Maritime shipping and navigation, including shipping and navigation on tidal waters; Admiralty jurisdiction.
4. Port quarantine.
5. Major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of Port Authorities therein.
6. Aircraft and air navigation; the provision of aerodromes; regulation and organisation of air traffic and of aerodromes.
7. Lighthouses, including lightships, beacons and other provisions for the safety of shipping and aircraft.
8. Carriage of passengers and goods by sea or by air.
9. Extension of the powers and jurisdiction of members of the police force belonging to any unit to railway area outside that unit.

D. Ancillary

1. Elections to the Dominion Legislature, subject to the provisions of the Act and of any Order made thereunder.
2. Offences against laws with respect to any of the aforesaid matters.
3. Inquiries and statistics for the purposes of any of the aforesaid matters.
4. Jurisdiction and powers of all courts with respect to any of the aforesaid matters but, except with the consent of the Ruler of the Acceding State, not so as to confer any jurisdiction or powers upon any courts other than courts ordinarily exercising jurisdiction in or in relation to that State.

SUPPLEMENTARY INSTRUMENT OF ACCESSION OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

WHEREAS by virtue of an Instrument of Accession executed by me on the ninth day of August, 1947, and accepted by the Governor-General of India on the sixteenth day of August 1947, the State of Mysore has acceded to the Dominion of India;

AND WHEREAS it is expedient that the said Instrument of Accession should be varied by extending the functions which by virtue of that Instrument are exercisable by any Dominion authority in relation to the said State;

NOW THEREFORE

I, JAYA CHAMARAJA WADIYAR, Ruler of the State of Mysore, Do hereby execute this Supplementary Instrument and declare that as from the date on which this Supplementary Instrument is accepted by the Governor-General of India, the terms of my Instrument of Accession, dated the 9th August, 1947, shall have effect subject to the following variations, namely:—

1. In paragraph 1 of the said Instrument of Accession, for the words and figures "on the fifteenth day of August, 1947", the words and figures "on the first day of June 1949" shall be substituted.

2. For paragraph 3 of the said Instrument of Accession, the following paragraph shall be substituted, namely:—

“3. I accept all matters enumerated in List I and List III of the Seventh Schedule to the Act as matters in respect of which the Dominion Legislature may make laws for this State.

Provided that nothing contained in the said Lists or in any other provisions of the Act shall be deemed to empower the Dominion Legislature to impose any tax or duty in this State or any part thereof, or to prohibit the imposition of any duty or tax by the Legislature of this State in the said territories or any part thereof.

Provided further that where a law of this State with respect to one of the matters enumerated in the said List III contains any provisions repugnant to the provisions of an earlier Dominion law or an existing law with respect to that matter, then, if the law of this State having been reserved for the consideration of the Governor-General of India has received the assent of the Governor-General, the law of this State shall prevail in this State, but nevertheless the Dominion Legislature may at any time enact further legislation with respect to the same matter.

Provided further that no Bill or amendment for making any provision repugnant to any law of this State, which, having been so reserved, has received the assent of the Governor-General, shall be introduced or moved in the Dominion Legislature without the previous sanction of the Governor-General.”

3. After paragraph 4 of the said Instrument of Accession, the following paragraph shall be inserted, namely:—

“4.A. I further declare that the provisions contained in Part VI of the Act with reference to interference with water supplies shall apply in relation to this State.”

4. The Schedule to the said Instrument of Accession shall be cancelled.

Given under my hand, this First day of June 1949.

JAYA CHAMARAJA WADIYAR.

I do hereby accept this Supplementary Instrument of Accession.

Dated this Twenty-third day of June, Nineteen hundred and forty-nine.

C. RAJAGOPALACHAR,
Governor-General of India.



Seal of the Governor-General
of India.